

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ESPERANZA DIAZ DEL CASTILLO,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT
OF SOCIAL AND HEALTH SERVICES,
et al.,

Defendants.

CASE NO. C05-1122JLR

ORDER

This matter comes before the court on three motions from Plaintiff Esperanza Diaz Del Castillo (Dkt. ## 7, 8, 9). The court notes that Ms. Del Castillo is proceeding pro se in this matter. The court also notes that each of Ms. Del Castillo's motions are unopposed, most likely because she has not properly served any of the Defendants with the complaint in this action, and thus they are under no duty to respond.

Ms. Del Castillo's first motion (Dkt. # 7) seeks a 90-day stay of this action while she waits for the United States Equal Employment Opportunity Commission ("EEOC") to send her its case file regarding charges of discrimination that Ms. Del Castillo made and the EEOC declined to pursue. After reviewing the docket in this matter, it seems that Ms. Del Castillo believes that the court may appoint counsel for her once she receives the material from the EEOC. In July 2005, Judge Donohue denied Plaintiff's motion for

1 appointment of counsel, noting that Ms. Shields' complaint provided no basis for
2 assessing the merits of her discrimination claim.

3 The court DENIES Ms. Del Castillo's motion for a stay (Dkt. # 7). The court will
4 not stay Ms. Del Castillo's motion while she develops the merits of her claim. Indeed,
5 the very purpose of her action is to permit her to develop the merits of her claim and
6 proceed to trial. A stay would not promote this goal.

7 The court also DENIES Ms. Del Castillo's motion to consolidate (Dkt. # 8). Ms.
8 Del Castillo's motion does not seek consolidation of this matter (a procedure used to join
9 two cases pending in this court). Instead, she seeks to add allegations to her complaint
10 because the EEOC recently issued her an additional right to sue notice on those
11 allegations. The proper procedure to add such allegations would be through an
12 amendment of Ms. Del Castillo's complaint.

13 Finally, the court DENIES Ms. Del Castillo's motion for a list of EEOC attorneys
14 (Dkt. # 9). Ms. Del Castillo apparently wishes the court to provide her with a list of all
15 attorneys who are willing to represent plaintiffs in employment discrimination matters.
16 The court has no such list. Plaintiff must find counsel on her own.

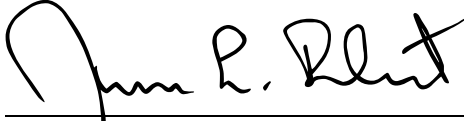
17 The court notes that it accepted Ms. Del Castillo's complaint for filing on June 29,
18 2005. There is no indication that Ms. Del Castillo has properly served any Defendant in
19 this action. If Plaintiff has not provided proof of proper service within 120 days of June
20 29, 2005, the court will issue an order to show cause why it should not dismiss Ms. Del
21 Castillo's complaint pursuant to Fed. R. Civ. P. 4(m).

22 In addition, the court directs Ms. Del Castillo to refrain from filing additional
23 motions until she has properly served the Defendants in this action. If Ms. Del Castillo
24 continues to file motions before serving the Defendants with the complaint in this action,
25 the court will strike those motions without comment.

26 The court is mindful of the burden of pursuing a case without the assistance of an
27 attorney. Nonetheless, Ms. Del Castillo must understand that until she has counsel, she is
28 responsible for complying with the Federal Rules of Civil Procedure and this court's local

1 rules. The court cannot instruct Ms. Del Castillo on how to comply with those rules, and
2 it cannot permit Ms. Del Castillo to proceed without complying with them.

3 Dated this 12th day of September 2005.

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6 JAMES L. ROBART

7 United States District Judge
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